

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 41M 129643-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: RAYMOND L LINDSETH
PO BOX 183
DUPUYER, MT 59432

LORNA L LINDSETH
PO BOX 183
DUPUYER, MT 59432

PHILIP E JOHNSON
PO BOX 137
FORT SHAW, MT 59443-0137

PEGGY J JOHNSON
PO BOX 137
FORT SHAW, MT 59443-0137

Priority Date: MAY 6, 1904

Enforceable Priority Date: MAY 6, 1904

Type of Historical Right: DECREED

Purpose (use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 7.50 CFS

Maximum Volume: 360.00 AC-FT

Climatic Area: 4 - MODERATELY LOW

Maximum Acres: 120.00

Source Name: SHEEP CREEK

Source Type: SURFACE WATER

ALSO KNOWN AS SOUTH FORK SHEEP CREEK

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1	SWSWNE	33	28N	9W	PONDERA

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: HEADGATE

WATER DIVERTED FROM SHEEP CREEK IS CONVEYED TO UNNAMED TRIBUTARY OF NORTH FORK SHEEP CREEK WHICH IS USED AS A NATURAL CARRIER TO CONVEY WATER TO THE PLACE OF USE.

Reservoir: OFF STREAM **Reservoir Name** TEDSON RESERVOIR

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	SENESE	27	28N	9W	PONDERA

Diversion to Reservoir: DIVERSION # 1

Dam Height: 11.60 FEET

Depth: 9.00 FEET

Surface Area: 61.00 ACRES

Current Capacity: 219.60 ACRE-FEET

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

Period of Use: MAY 1 to OCTOBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	58.00		S2SW	13	28N	9W	PONDERA
2	12.00		SESE	14	28N	9W	PONDERA
3	7.00		N2NENE	23	28N	9W	PONDERA
4	2.00		NWNWNW	24	28N	9W	PONDERA
5	15.00		S2NENW	26	28N	9W	PONDERA
6	3.00		SENWNW	26	28N	9W	PONDERA

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
7	15.00		SENW	26	28N	9W	PONDERA
8	8.00		SWNW	26	28N	9W	PONDERA
Total:	120.00						

Geocodes/Valid: 26-3981-13-3-03-01-0000 - Y 26-3981-14-4-03-03-0000 - Y
 26-3981-23-1-01-01-0000 - Y 26-3981-24-2-02-01-0000 - Y
 26-3981-26-2-01-01-0000 - Y

Remarks:

THE WATER RIGHTS FOLLOWING THIS STATEMENT ARE SUPPLEMENTAL WHICH MEANS THE RIGHTS HAVE OVERLAPPING PLACES OF USE. THE RIGHTS CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. EACH RIGHT IS LIMITED TO THE FLOW RATE AND PLACE OF USE OF THAT INDIVIDUAL RIGHT. THE SUM TOTAL VOLUME OF THESE WATER RIGHTS SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

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THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

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THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT ON 12/05/2003: PLACE OF USE, FLOW RATE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 12495 RECEIVED 01/20/2004.

OWNERSHIP UPDATE TYPE DOR # 129958 RECEIVED 03/31/2011.

FLOW RATE MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.

ACCORDING TO CADASTRAL PROPERTY OWNERSHIP RECORDS, AS OF 06/03/2013, A PORTION OF THE PROPERTY ON WHICH THIS WATER RIGHT IS USED APPEARS TO BE OWNED BY PHILLIP AND PEGGY JOHNSON.

AERIAL PHOTOGRAPH NO(S). ZR-5T-68 , DATED 06/29/1957 , APPEARS TO INDICATE 81.55 ACRES IRRIGATED. A DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE.

VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION OF MAXIMUM ACRES ISSUE.